

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

**AERO TRANSPORTATION
PRODUCTS, INC.,**

Plaintiff,

vs.

**MINER ENTERPRISES, INC. AND
POWERBRACE CORP.,**

Defendants.

Civil Action No. 06-0837-CV-W- JTM

ORDER

The parties having presented their respective positions on issues regarding the proper construction of the claims of the patent-in-suit, i.e., U.S. Patent 6,899,038 (the '038 patent) to the Court in opening and responsive memoranda, and in oral argument on August 27, 2007, it is

ORDERED that:

1. By agreement of the parties, the term "fire," as used in the claims of the '038 patent, is a typographical error and should read "frame."
2. The term "generally square," as used in the claims of the '038 patent, refers to a discharge opening having a length and a width that approximate each other, but need not be exactly the same.
3. The term "ledgeless," as used in the claims of the '038 patent, refers to a gated discharge opening in which the gate is not supported on ledges or runners which extend inwardly of the side walls of the discharge opening.

/s/ John T. Maughmer

**JOHN T. MAUGHMER
U. S. MAGISTRATE JUDGE**